

JS 44 (Rev. 09/11)

**CIVIL COVER SHEET**

The JS 44 civil coversheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Crown Financial Corporation

**DEFENDANTS**

McDonald's Corporation

(b) County of Residence of First Listed Plaintiff Philadelphia County, PA  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant DuPage County, IL  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, Telephone Number, and Email Address)

Christopher Gibson, Esq., cgibson@archerlaw.com, (856) 795-2121  
Archer & Greiner, P.C., One Centennial Square, Haddonfield, NJ 08033

Attorneys (If Known)

Sean W. Sloan, Esq., ssloan@morganlewis.com, (215) 963-5000  
Morgan, Lewis & Bockius LLP, 1701 Market St., Phila., PA 19103

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                                   | DEF                                   |
|---|----------------------------|----------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4            | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6            | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (Specify)
- ☐ 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. 1332, 1441, 1446

Brief description of cause:

Contract claim arising out of alleged breach of Lease Agreement.

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ Greater than \$150,000

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE N/A

DOCKET NUMBER N/A

DATE

07/05/2012

SIGNATURE OF ATTORNEY OF RECORD

/s/ Sean W. Sloan

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**MORGAN, LEWIS & BOCKIUS LLP**  
(Pennsylvania Limited Liability Partnership)  
1701 Market Street  
Philadelphia, PA 19103-2921  
215.963.5000

Attorneys for Defendant  
McDonald's Corporation

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CAMDEN DIVISION

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**CROWN FINANCIAL CORPORATION,**

**Plaintiff,**

**v.**

**McDONALD'S CORPORATION,**

**Defendant.**

**CIVIL ACTION NO.** \_\_\_\_\_

**NOTICE OF REMOVAL**

**Document Filed Electronically**

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**PLEASE TAKE NOTICE** that, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant McDonald's Corporation ("McDonald's" or "Defendant"), by and through its attorneys, files this Notice of Removal of the above-captioned action from the Superior Court of New Jersey, Law Division, Cape May County to the United States District Court for the District of New Jersey, Camden Division. The grounds for removal are as follows:

1. Plaintiff Crown Financial Corporation ("Plaintiff") is a Pennsylvania corporation with its corporate headquarters located at One Crown Way, Philadelphia, PA 19154. Defendant McDonald's Corporation is a Delaware corporation with its corporate headquarters located at One McDonald's Plaza, Oak Brook, IL 60523.

2. On June 5, 2012, Plaintiff filed a Complaint in the Superior Court of New Jersey, Law Division, Cape May County, captioned as Crown Financial v. McDonald's Corporation, Docket No. CPM L-259-12. This lawsuit is a civil action within the meaning of the Acts of

Congress relating to the removal of cases. See 28 U.S.C. §§ 1441 and 1446.

3. Service of the Complaint was made upon the registered agent of McDonald's on June 5, 2012. Thirty (30) days have not expired since the action became removable.

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 because there is complete diversity between the parties and the amount in controversy exceeds \$75,000. In its Complaint, Plaintiff demands (albeit erroneously) damages for breach of contract (Count Two) and breach of covenant of good faith and fair dealing (Count Three) including the loss of a contractual opportunity worth \$800,000 during the first five years. See Compl. ¶¶ 24-25 & Ex. C at 2.

5. The Superior Court of New Jersey, Law Division, Cape May County, is located within the District of New Jersey, Camden Division. Therefore, venue in this Court is proper for removal purposes because it is the "district and division embracing the place where such action is pending." See 28 U.S.C. § 1441(a).

6. The Complaint constitutes the only process, pleading, or order served on Defendant in this action, and is attached hereto as Exhibit "A."

7. In accordance with 28 U.S.C. § 1446(d), McDonald's will promptly serve a copy of this Notice of Removal upon counsel for Plaintiff and will file a copy of the same with the Clerk of the Superior Court of New Jersey, Law Division, Cape May County.

8. If any question arises as to the propriety of the removal of this action, Defendant requests the opportunity to present a brief and oral argument in support of its position that this case is removable.

MORGAN, LEWIS & BOCKIUS LLP  
1701 Market Street  
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Phone: 215.963.5000  
Facsimile: 215.963.5001

*Attorneys for Defendant*

/s/ Sean W. Sloan

Sean W. Sloan, Bar No. 03531-2004

ssloan@morganlewis.com

Larry L. Turner (admission pending)

lturner@morganlewis.com

Timothy Browne Collier (admission pending)

tcollier@morganlewis.com

Dated: July 5, 2012

**CERTIFICATION**

Pursuant to Local Civil Rule 11.2, the undersigned hereby certifies that the matters raised herein are not the subject of any pending lawsuit, arbitration, or administrative proceeding except the state court action that is being removed.

Dated: July 5, 2012

MORGAN, LEWIS & BOCKIUS LLP

/s/ Sean W. Sloan

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Sean W. Sloan, Bar No. 03531-2004  
1701 Market Street  
Philadelphia, PA 19103  
Phone: 215.963.5000  
Facsimile: 215.963.5001

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I, Sean W. Sloan, hereby certify that on July 5, 2012, a true and correct copy of Defendant McDonald's Corporation's Notice of Removal, Local Rule 11.2 Certification and Civil Cover Sheet were filed electronically, and thus is available for viewing and downloading from the ECF system of the U.S. District Court for the District of New Jersey, and that I served the same via electronic filing and U.S. mail on July 5, 2012 upon the following:

Christopher R. Gibson, Esq.  
Patrick M. Flynn, Esq.  
ARCHER & GREINER, P.C.  
One Centennial Square  
Haddonfield, NJ 08033

*Attorneys for Plaintiff*

/s/ Sean W. Sloan

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*Attorneys for Defendant*